



1/12 1602

Docket No. 21408 US (C038435/0185946)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)

Michihiko KATAOKA and Sakayu SHIMIZU)

Serial No.: 10/528,960)

Filed: October 31, 2005)

For: **ENONE REDUCTASE GENE
AND MICROBIAL PRODUCTION
OF LEVODIONE**)

Examiner: M. Y. Meah

Art Unit: 1652

New York, New York
February 13, 2009

**RESPONSE TO OFFICE ACTION INCLUDING
AMENDMENT AND PETITION FOR EXTENSION OF TIME**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed October 14, 2008, which set a three-month shortened statutory period for response. A one-month extension of time to respond to the Office Action is hereby requested. Accordingly, this response is filed timely upon mailing, with an executed certificate of mailing, on or before February 17, 2009, because February 14th falls on a Saturday and February 16th falls on a Federal holiday. CFR §§ 1.7, 1.8 and 1.136. Enclosed is a check in the amount of \$130.00 to cover the fee for the extension of time. 37 CFR § 1.17.

02/17/2009 SSESHE1 00000005 10528960

02 FC:1251 130.00 00

Application No.: 10/528,960
Response Dated: February 13, 2009
Reply to Office Action Dated: October 14, 2008

Please charge any required fees not otherwise paid by check to Deposit

Account No. 02-4467. A duplicate copy of this sheet is enclosed.

Please amend the application as follows:

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims, which begins on page 3 of this paper.

REMARKS begin on page 7 of this paper.

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